Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes June 19, 2009

A meeting of the Planning Commission of the City of Saint Paul was held Friday, June 19, 2009, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Mmes. Donnelly-Cohen, Morton, Porter, Smitten, Wencl; and

Present: Messrs. Alton, Barrera, Commers, Goodlow, Gordon, Johnson, Kramer, Nelson,

Spaulding and Ward.

Commissioners

Absent:

Mmes. *Faricy, *Lu, *Thao, and Messrs. *Bellus, *Margulies, and Schertler.

*Excused

Also Present: Donna Drummond, Planning Administrator; Merritt Clapp-Smith, Josh Williams,

Shelley Miller, Tia Anderson, and Sonja Butler, Department of Planning and

Economic Development staff.

I. Approval of minutes June 5, 2009.

<u>MOTION</u>: Commissioner Johnson moved approval of the minutes of June 5, 2009. Commissioner Ward seconded the motion.

Commissioner Nelson proposed an addition to the minutes be inserted after the testimony of Mr. Kevin Flynn: Commissioner Nelson asked questions regarding access to sunlight and the screening of mechanical equipment. Mr. Flynn said that access to solar radiation is very important in achieving sustainability and that some cities provide protection of solar access. He also stated that screening of some types of mechanical equipment and trash areas is desirable, but that he believed other portions of the zoning ordinance cover such screening.

<u>MOTION:</u> Commissioner Kramer moved the approval to modify the minutes of June 5, 2009. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Alton had no announcements.

III. Planning Administrator's Announcements

Donna Drummond reported that a U.S. District Court decision was announced on Monday in the case of Clear Channel versus the City of Saint Paul. Clear Channel was contesting the City's ban on billboard extensions and the court found in favor of Clear Channel. For those wanting to see the court decision, Ms. Drummond will email it to them.

Chair Alton said that this is the case where amendments to the billboard ordinances were made in 2005 and 2006 and the Planning Commission recommended to the City Council that they adopt regulations regarding billboard extensions. The City Council decided to ban billboard extensions outright, and the court determined that the City Council did not have a rational basis for the outright ban.

Commissioner Gordon wanted to know if the court decision still leaves room for regulation.

Chair Alton answered yes, the court in its decision determined that the ordinance as passed was unenforceable. So the other ordinance that presently exists is still in effect.

Ms. Drummond reported that the City Council on Wednesday considered a resolution requesting that the Planning Commission and Heritage Preservation Commission study the idea of neighborhood conservation districts. The resolution was first introduced on May 27th and had been laid over until Wednesday. Amy Spong of the Heritage Preservation Commission staff and Ms. Drummond met with several Council aides and discussed the staff resources that would be needed to do a study like that, which are quite extensive. They also discussed the issues that are of most concern to Councilmembers. The biggest concerns are the demolition of properties that are potentially historic and inadequate review of that prior to the demolition decision and also the quality of new construction on these vacant lots. Ms. Drummond suggested that staff should focus on completing work on two ongoing efforts that would address those issues. These efforts include the infill residential design guidelines and revisions to the Historic Preservation Chapter 73, which would include new provisions for review of demolitions. The City Council resolution was subsequently laid over until September 2, 2009.

IV. Zoning Committee

NEW BUSINESS

#09-073-792 Archer Daniels Midland Co. – Conditional Use Permit for addition to accessory structure in the floodway. 575 Drake Street, area Southeast of Watson and Drake. (Sarah Zorn, 651/266-6570)

Commissioner Morton announced that at the request of Mr. Daniels the Zoning Committee laid this case over to July 16, 2009. And the July 2, 2009 Zoning Committee meeting has been canceled.

V. Comprehensive Planning Committee

<u>Status of Small Area Plans adopted prior to 1997</u> – Recommended action on the old small area plans. (*Merritt Clapp-Smith*, 651/266-6547)

Commissioner Donnelly-Cohen reported that there was a public hearing on May 22nd regarding the recommended actions on the Small Area Plans adopted prior to 1997. The Committee has forwarded its recommendation to the Commission.

<u>MOTION</u>: Commissioner Donnelly-Cohen moved the Comprehensive Planning Committee's recommendation to approve the resolution regarding the status of Small Area Plans adopted prior to 1997. The motion carried unanimously on a voice vote.

VI. Neighborhood Planning Committee

Commissioner Wencl reported that the Committee is currently working on the District 9 Plan. She also announced that the next meeting is Wednesday June 24, 2009 at 3:30 p.m.

VII. <u>Saint Paul's Water Quality Initiatives</u> – Presentation by Phil Belfiori; Water Resource Coordinator, Department of Safety and Inspections. (*Donna Drummond*, 651/266-6556)

Mr. Belfiori gave a power point presentation about the city's water quality and other water resource management issues. Mr. Belfiori talked about the vision, which is based on a sustainable approach and principles that the city overall is moving forward with. These are goals that the Mayor has set. Water resource management and environmental management are critical parts of the sustainable approach. Water quality is one of the main focuses; it is a huge issue from an environmental regulatory and an overall management perspective. There is rarely a development project that does not have something related to water, either wetlands, flood plains, or storm water. Mr. Belfiori said that they have been working on a variety of initiatives, some of which were started last year and some before that. He talked about the components, including: 1) volume reduction; 2) storm water modeling; 3) 2010 RSVP storm water study; 4) water quality improvement feasibility studies; 5) Ford plant site – sustainable storm water design; 6) green roof interceptive center/garden classroom; and 7) City interdepartmental water resource working group. He explained each of the seven components and gave examples.

Mr. Josh Williams, PED staff, talked about what this all means in terms of the work of the Planning Commission as well as PED staff. He said it is really a changing regulatory environment, and it is not becoming simpler or less stringent. As a result, new approaches are needed. Along with changing technology, there is an emphasis going forward on sustainable approaches and green infrastructure, that is, use of natural systems or mimicking natural systems for storm water treatment. Water quality and storm water management needs to happen in the context of other decision making and planning processes. Another important point is that land use is a major factor on how to deal with storm water. The greater intensity of land use the more complicated the storm water management issues become. On the plus side in terms of financial feasibility it provides more tools to work with. Mr. Williams gave an example using the Ford site showing how storm water management can really drive site design. He cited Central Corridor as another example, where there will be a very high intensity of land uses and a lot of storm water challenges.

Commissioner Ward asked are there are any efforts to put any lessons learned out to developers that are trying to bring a project to the table and educate them. This would be an upfront approach rather then waiting until the middle of the project and finding out they have to fulfill another requirement as well.

Mr. Belfiori said that they are moving toward a new way of doing business. The construction and development communities and cities are all working together to understand how to best become more proactive. One way is to have concept level site plan reviews, which means before the ink dries and tons of money are spent on engineers and architects there is a meeting to discuss various options.

Commissioner Ward said that as developers do projects a lot of times it is left up to the city to assume maintenance and repair of some of these systems that are part of the infrastructure. As

new projects come are you looking at transferring some of that responsibility back to the owners of those projects?

Mr. Belfiori said that is a question that came up in one of the Central Corridor working groups and it is one of the major issues. Long-term maintenance or what are also called life-cycle costs need to be addressed in our policies as well as the projects.

Commissioner Smitten said regarding volume reduction inventory, Mr. Belfiori talked about targeting public areas. She asked whether there have been any conversations to look at the properties becoming available because of foreclosures as potential properties for storm water infrastructure.

Mr. Belfiori said they have considered whether there are opportunity sites for water quality that could be integrated into that system. Mr. Williams added that he has had several conversations with PED staff who are working on acquiring these properties and programming the money that is available. The city is in the process of putting together an application for more money that is coming out of the stimulus bill. It is very complex to come up with a plan for targeting those funds that is most affective for the city, in terms of dealing with the problem of foreclosure.

Commissioner Nelson said that Mr. Belfiori talked about concept plan review. In today's limited resource environment are there resources available to provide those kinds of reviews and is there a backend savings if things can be taken care of up front?

Donna Drummond said that Tom Beach is in charge of site plan review and he does offer that opportunity to project proposers to come in for a concept review before the plans get too far along. Mr. Belfiori interjected saying that it would be prudent to look at that as a primary vehicle given it is already in place and there is a site plan review committee. Ms. Drummond said the one thing that needs to be considered is whether to make concept reviews required and not just offer them as an opportunity. Mr. Belfiori said that they have talked about that and it is obviously a funding issue. Should there be a fee that is required with that or how could we build revenue so that it covers the necessary expenses.

Commissioner Spaulding said that in regards to Central Corridor, he is aware that there are compliance issues with the watershed district's requirements. The project is incredibly constrained in its budget, which is putting other project partners into the position to make up for some of the things the project can't pay for, in storm water and other areas. He asks Mr. Belfiori to expand on that.

Mr. Belfiori said that there is a workshop next week that the Metropolitan Council, Watershed District and the City are co-sponsoring to consider options for stormwater management for the Central Corridor project

Commissioner Ward asked if there were any initiatives to add green roofs and look at porous pavements and other greening techniques for new construction.

Mr. Belfiori said another project that they could have listed but did not is a draft of a green building policy. That is moving forward to be finalized from the Mayor and will be at City Council soon for decision.

Commissioner Johnson wanted to say how incredibly thrilled he is to have Mr. Belfiori on staff. Commissioner Johnson has worked for most of his career in the complex intersection between water quality, multiple agencies, state, federal, local, environment and land use challenges. He has some understanding of how much work is ahead, particularly in Saint Paul. Over the years his path has crossed with Mr. Belfiori once or twice on projects. Mr. Belfiori is an incredibly capable individual who will go a long way toward helping achieve the goals of sustainability that the city is trying to achieve. Commissioner Johnson welcomed and thanked Mr. Belfiori for his presentation.

Chair Alton also thanked Mr. Belfiori and looks forward to seeing him again.

VIII. **Communications Committee**

Commissioner Smitten had no report.

IX. **Task Force Reports**

Commissioner Kramer wanted to remind everyone that if anyone wants to go on the 3M tour on Wednesday, June 24th they should let him know today.

	Commissioner Wencl announced that there will in July held by the Metropolitan Council. More	
X.	Old Business	
	None	
XI.	New Business	
	None	
XII.	Adjournment	
	Meeting adjourned at 9:30 a.m.	
Recorded and prepared by Sonja Butler, Planning Commission Secretary Planning and Economic Development Department, City of Saint Paul		
Respectfully submitted,		Approved(Date)
		(Duto)
Donna Drummond Planning Administrator		Marilyn Porter Secretary of the Planning Commission

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